

Message Text

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SUBJECT: PRESS MATERIAL

1. HERewith OSWALD JOHNSTON BY-LINER, LOS ANGELES TIMES, TUESDAY, AUGUST 10, HEADED "'UNDERSTANDING' WITH RUSS ON A-TEST LIMITS REVEALED.
 2. WASHINGTON -- UNDER AN UNPUBLICIZED "UNDERSTANDING" WITH MOSCOW WORKED OUT OVER THE PAST TWO YEARS, BOTH THE SOVIET UNION AND THE UNITED STATES WOULD BE ALLOWED TO EXCEED THE 150-KILOTON LIMIT ON UNDERGROUND NUCLEAR WEAPONS TESTS ONCE OR TWICE A YEAR, ACCORDING TO A FORD ADMINISTRATION DOCUMENT BEFORE THE SENATE.
 3. THE UNDERSTANDING ON "MISTAKES," AS THEY ARE OFFICIALLY DESCRIBED, AMOUNTS TO A SEPARATE AND UNTIL NOW, CONFIDENTIAL ADDENDUM TO THE THRESHOLD TEST BAN TREATY. THE TREATY, NEGOTIATED AND SIGNED IN 1974, IS AWAITING SENATE RATIFICATION.
 4. UNDER THE TREATY AS ORIGINALLY NEGOTIATED AND MADE PUBLIC TWO YEARS AGO, UNDERGROUND WEAPONS TESTS OVER 150 KILOTONS
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IN YIELD EQUIVALENT TO 10 TIMES THE HIROSHIMA BOMB WOULD BE

BANNED.

5. BUT THE "MISTAKES" UNDERSTANDING WOULD ALLOW EACH SIDE "ONE OR TWO SLIGHT, UNINTENDED BREACHES PER YEAR," WHICH "WOULD NOT BE CONSIDERED TREATY VIOLATIONS."

6. THE DISCLOSURE OF WHAT APPEARED TO BE A TECHNICAL LOOP-HOLE IN THE TREATY CAME AFTER A REPORT LAST WEEK THAT THE RUSSIANS CONDUCTED WEAPONS TEST JULY 4 THAT MIGHT HAVE EXCEEDED THE 150-KILOTON FORCE.

7. NEWS OF THAT EXPLOSION WAS HELD CLOSELY IN THE ADMINISTRATION FOR WEEKS AFTER IT WAS APPARENT THAT THE TEST MIGHT HAVE VIOLATED AN INFORMAL SOVIET PROMISE NOT TO CONDUCT TESTS ABOVE THE TREATY THRESHOLD DURING THE PERIOD BEFORE THE TREATY WAS RATIFIED AND IN FULL EFFECT.

8. THE "MISTAKES" UNDERSTANDING WAS INITIATED BY THE RUSSIANS AND WAS DESCRIBED IN A LENGTHY DOCUMENT SUBMITTED TO THE SENATE ALONG WITH THE TREATY TEXT LAST JULY 29. THE EXPLANATORY "LETTER OF SUBMITTAL," AS IT WAS CALLED, WAS DATED JUNE 22 BUT IT WAS NOT MADE PUBLIC BY THE ADMINISTRATION AND DID NOT COME TO LIGHT UNTIL MONDAY AFTER IT WAS PUBLISHED BY THE SENATE.

9. THE EXPLANATION WAS PREPARED IN THE STATE DEPARTMENT TO BE ISSUED OVER THE SIGNATURE OF SECRETARY OF STATE HENRY A. KISSINGER, BUT HIS SIGNATURE WAS MISSING FROM THE ONLY AVAILABLE PUBLIC VERSION OF THE DOCUMENT.

10. AS EXPLAINED MONDAY BY A RANKING ADMINISTRATION OFFICIAL, THE "MISTAKES" UNDERSTANDING WAS ACCEPTED BY U.S. NEGOTIATING TECHNICIANS BECAUSE WEAPONS TESTS OFTEN MISS THEIR INTENDED YIELDS BY AS MUCH AS 10 TO 20 KILOTONS.

11. THE DECISION TO PERMIT A MARGIN OF ERROR IN THE FORM OF AN UNDERSTANDING CAME ABOUT BECAUSE NEGOTIATORS WERE LEERY OF FORMALIZING AN ACCEPTANCE OF "MISTAKES" IN THE TEXT OF A TREATY, THE OFFICIAL SAID.

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12. "WE HAVE TO BE CAREFUL IT DOESN'T FALL INTO A PATTERN," HE EXPLAINED, POINTING OUT THAT SOME OF THE NEGOTIATORS AT AN EARLY STAGE WERE WILLING TO PERMIT AN UNLIMITED NUMBER OF MARGINAL ERRORS.

13. THE ACTUAL UNDERSTANDING IS SLIGHTLY MORE STRINGENT THAN THAT. ACCORDING TO LANGUAGE MUTUALLY AGREED UPON DURING NEGOTIATING SESSIONS IN THE FALL OF 1974 AND AGAIN

LAST SPRING -- IN BOTH CASES AFTER THE TREATY HAD BEEN FORMALLY SIGNED -- THE "MISTAKES" WOULD BE LIMITED TO TWO A YEAR AT MOST.

14. AT THE REQUEST OF THE RUSSIANS, THE UNDERSTANDING WAS TO BE MADE PUBLIC AT THE TIME THE TREATY WAS SENT TO THE SENATE FOR RATIFICATION.

15. THE TWO-YEAR DELAY IN RATIFYING THE TEST BAN TREATY OCCURRED BECAUSE AN INTEGRALLY RELATED TREATY COVERING PEACEFUL NUCLEAR EXPLOSIONS WAS NOT COMPLETED UNTIL LAST MAY.

16. THE TEXT OF THE UNDERSTANDING COMMITS BOTH SIDES TO MAKE "EVERY EFFORT" TO COMPLY WITH THE TREATY. BUT IT RECOGNIZES THAT "TECHNICAL UNCERTAINTIES ASSOCIATED WITH PREDICTING THE PRECISE YIELD OF WEAPONS TESTS ... "MAY RESULT IN SLIGHT UNINTENDED BREACHES OF THE 150-KILOTON THRESHOLD."

17. ACCORDINGLY, BOTH SIDES AGREED THAT "(1) ONE OR TWO SLIGHT, UNINTENDED BREACHES PER YEAR WOULD NOT BE CONSIDERED A VIOLATION OF THE TREATY; (2) SUCH BREACHES WOULD BE THE SUBJECT OF CONSULTATIONS."

18. OFFICIALS SAID LAST WEEK THAT IT WOULD BE CONSIDERED A SUBJECT OF "CONCERN" IF THE JULY 4 SOVIET TEXT EXCEEDED THE THRESHOLD. THEY TOOK THIS POSITION AFTER PRESS DISCLOSURES HAD FORCED PUBLIC DISCUSSION OF THE ISSUE.

19. UNTIL THEN, THE FACTS OF THE CASE WERE CLOSELY HELD. THE ONLY OFFICIAL DISCLOSURE OF THE TEST OUTSIDE THE ADMINISTRATION CAME IN THE FORM OF A ROUTINE NOTIFICATION OF UNCLASSIFIED

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THE BLAST TO THE CONGRESSIONAL JOINT ATOMIC ENERGY COMMITTEE.

20. THAT MID-JULY NOTIFICATION REPORTEDLY ADVISED THE COMMITTEE THAT THE TEST WAS "OVER 100 KILOTONS," BUT IT MIGHT NOT HAVE GIVEN THE TOP LIMIT CUSTOMARY IN SUCH REPORTS. INFORMED SOURCES HAVE SINCE DISCLOSED THAT THE TOP LIMIT DETECTED BY SEISMIC DEVICES WAS SLIGHTLY OVER 200 KILOTONS.

21. A SENIOR OFFICIAL INDICATED MONDAY THAT A MORE RECENT ESTIMATE HAS PLACED THE YIELD OF THAT TEST AT EXACTLY 100 KILOTONS. THIS HAS GIVEN RISE TO SPECULATION WITHIN THE NATIONAL SECURITY BUREAUCRACY THAT THE RUSSIANS MADE THE TEST TO CHECK THE ACCURACY OF U.S. SEISMIC DETECTION PRO-

CEDURES.

22. IN ANY CASE, THE ENERGY RESEARCH AND DEVELOPMENT AGENCY, WHICH NORMALLY MAKES PROMPT PUBLIC ANNOUNCEMENT OF

MOST NUCLEAR WEAPONS TESTS AND A GENERAL ESTIMATE OF THEIR YIELD, WAS DIRECTED AFTER THE JULY 4 TEST TO DELETE FROM FUTURE ANNOUNCEMENTS ANY REFERENCE TO YIELD. THE JULY 4 TEST WAS NOT ANNOUNCED UNTIL AUG. 3.

23. THE EXPLANATORY DOCUMENT MADE PUBLIC BY THE SENATE CONTAINED ONE OTHER PREVIOUSLY CONFIDENTIAL ACCOUNTING OF ADMINISTRATION POLICY.

24. THE TREATY ON PEACEFUL NUCLEAR EXPLOSIONS, ALSO WITH A 150-KILOTON LIMIT, CONTAINED AN APPARENT LOOPHOLE OF ITS OWN IN THE TEXT SIGNED BY BOTH SIDES MAY 28.

25. ACCORDING TO ONE OF ITS CLAUSES, THE QUESTION OF EXCEEDING THE LIMIT WAS NOT CLOSED, BUT RATHER WAS LEFT OPEN TO BE "CONSIDERED BY THE PARTIES AT AN APPROPRIATE TIME TO BE AGREED" UPON.

26. THIS LOOPHOLE IS CLOSED SOMEWHAT BY THE ADMINISTRATION'S LETTER OF SUBMITTAL. "THE NEGOTIATING RECORD MAKES CLEAR THAT, IN ORDER FOR INDIVIDUAL NUCLEAR EXPLOSIONS UNCLASSIFIED

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ABOVE THE LIMIT OF 150 KILOTONS TO BE PERMITTED," THE DOCUMENT SAYS, "THIS TREATY WOULD HAVE TO BE AMENDED AND THE AMENDMENT SUBMITTED TO THE SENATE FOR RATIFICATIO

27. READING BETWEEN THE LINES, HOWEVER, IT APPEARED THAT THIS INTERPRETATION MIGHT BE ONE-SIDED AND NOT, IN SO MANY WORDS, ACCEPTABLE TO THE RUSSIANS. ASKED WHY THAT LIMIT WAS NOT PRECISELY SET FORTH IN THE TREATY TEXT, ONE ADMINISTRATION OFFICIAL MONDAY EXPRESSED HIS BELIEF THAT THE RUSSIANS WOULD NOT HAVE ACCEPTED A FLAT REQUIREMENT THAT THE TREATY BE AMENDED IF AN EXCEPTION WERE TO BE GRANTED. END TEXT. ROBINSON

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